



**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Lally et al.

Examiner: Tsai

Serial No.: 09/642,268

Art Unit: 2857

Filed: August 18, 2000

For: Graphical User Input Interface for Testing Performance of a Mass Storage System

**CERTIFICATE UNDER 37 C.F.R. § 1.8(a)**

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on 7/1, 2004.

  
Jody Begley

Assistant Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO OFFICE ACTION**


In the office action dated February 27, 2004, the Examiner rejected Claims 1-6<sup>1</sup> under 35 U.S.C. §103(a) as being obvious over U.S. Patent No. 5,953,686 issued to Hale et al. ("Hale") in view of U.S. Patent No. 6,487,562 issued to Mason, Jr. et al. ("Mason").

These claim rejections should be withdrawn because the present application and the Mason patent were, at the time the invention of the present application was made, owned by or subject to an obligation of assignment to EMC Corporation.

<sup>1</sup> Claim 7, which was added in Applicants' Amendment dated July 22, 2003, is also pending.

Claims 1-7 are pending in the present application. Each of the claims is believed to be in condition for allowance, and issuance of a Notice of Allowance is respectfully requested.

Respectfully submitted,



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July 1, 2004

Attorney Docket No.: 100157.151



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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Application Number	09/642,268
Filing Date	08/18/2000
First Named Inventor	Lally
Art Unit	2857
Examiner Name	Tsai
Attorney Docket Number	100157-151

Total Number of Pages in This Submission

5

**ENCLOSURES (Check all that apply)**

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Technology Center (TC)
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
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<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Certified Copy of Priority Document(s)	Remarks	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual name	Rajesh Vallabh
Signature	
Date	07/01/2004

**CERTIFICATE OF TRANSMISSION/MAILING**

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Typed or printed name	Jody Begley		
Signature		Date	07/01/2004

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